

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Owen Godshall	Team: Squad #15	CCRB Case #: 202003816	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Tuesday, 06/02/2020 10:30 PM, Tuesday, 06/02/2020 10:30 PM	Location of Incident: Manhattan Bridge Small Park; 79th Precinct stationhouse	Precinct: 84	18 Mo. SOL 12/2/2021	EO SOL 5/4/2022	
Date/Time CV Reported Wed, 06/03/2020 2:34 AM	CV Reported At: CCRB	How CV Reported: Call Processing System	Date/Time Received at CCRB Wed, 06/03/2020 2:34 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. An officer			
3. DI Kenneth Perez	00000	933168	084 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. DT3 Warren Rohan	02378	926018	NARCBBN
2. POM Matthew Pagano	17526	959036	123 PCT
3. DT3 Antonio Santana	06279	933323	NARCBBN
4. DT3 James Rivera	05027	925988	NARCBBN
5. SDS Claudio Ramirez	03804	907114	NARCBBN
6. SGT Emile Pratt	04876	935535	079 PCT
7. POM Travis Brinson	05198	939940	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: At the Manhattan Bridge Small Park in Brooklyn, an officer struck § 87(2)(b) with a police shield.	
B. Officers	Force: At the Manhattan Bridge Small Park in Brooklyn, officers used physical force against § 87(2)(b)	
C. An officer	Abuse: At the Manhattan Bridge Small Park in Brooklyn, an officer deleted information on an individual's electronic device.	
D. An officer	Force: At the 79th Precinct stationhouse, an officer used physical force against § 87(2)(b)	

Officer(s)	Allegation	Investigator Recommendation
§ 87(4-b), § 87(2)(g)		

Case Summary

On June 3, 2020, § 87(2)(b) filed this complaint with the CCRB as a reporting non-witness via the Call Processing System. On June 4, 2020, § 87(2)(b) filed a duplicate complaint with the CCRB via the website. On June 8, 2020, § 87(2)(b) filed another duplicate complaint with the CCRB via the website.

At approximately 10:30 p.m. on June 2, 2020, a large group of protesters attempted to cross into Manhattan from Brooklyn via the Manhattan Bridge. When they reached the Manhattan end of the bridge, they found that the police had closed the bridge, preventing them from advancing. The majority of the protesters remained on the bridge to wait for the police to open it. Several of the protesters, including § 87(2)(b) and § 87(2)(b) decided not to wait and tried to leave the bridge by walking back to the Brooklyn end. There was a large group of officers gathered on that end of the bridge, including Deputy Inspector Kenneth Perez of the 84th Precinct. Deputy Inspector Perez ordered the officers to arrest § 87(2)(b) and the other protesters coming off the bridge. Twenty-four individuals in total were arrested while trying to leave the bridge. While arresting § 87(2)(b) one of the officers allegedly struck her with a riot shield, knocking her to the ground (**Allegation A: Force – Police shield, § 87(2)(g)**). Several officers then allegedly punched § 87(2)(b) as she lay on the ground (**Allegation B: Force – Physical force, § 87(2)(g)**). Another officer allegedly deleted a video that another protester recorded during their arrest (**Allegation C: Abuse of Authority – Electronic device information deletion, § 87(2)(g)**).

The prisoners were loaded onto an MTA bus that the NYPD had commandeered to use as a prisoner transport. The bus transported the prisoners to the 79th Precinct stationhouse for arrest processing. There, officers removed the plastic flex cuffs the prisoners had been restrained in. One of the officers allegedly cut § 87(2)(b)'s hand while removing her cuffs (**Allegation D: Force – Physical force, § 87(2)(g)**). The prisoners were issued summons for violating a mayoral curfew (Board Review #01-03) and released from the stationhouse.

§ 87(4-b), § 87(2)(g)

This complaint resulted from the 2020 police brutality protests.

§ 87(2)(b) provided cell phone footage of the incident that she recorded during the incident. The video is attached in IA #53 (Board Review #04) and summarized in IA #69 (Board Review #05). Body-worn camera footage was obtained from several officers and attached in IAs #61-67 (Board Review #06-12). The footage was recorded during a separate interaction that occurred on the opposite end of the bridge and is unrelated to this incident.

Findings and Recommendations

Allegation (A) Force: At the Manhattan Bridge Small Park in Brooklyn, an officer struck § 87(2)(b) with a police shield.

Allegation (B) Force: At the Manhattan Bridge Small Park in Brooklyn, officers used physical force against § 87(2)(b)

Allegation (C) Abuse of Authority: At the Manhattan Bridge Small Park in Brooklyn, an officer deleted information on § 87(2)(b)'s electronic device.

Known Facts and General Descriptions

§ 87(2)(b) was interviewed by the CCRB on June 10, 2020. § 87(2)(b) was interviewed by the CCRB on June 12, 2020. Two witnesses, § 87(2)(b) and § 87(2)(b) were interviewed on June 15, 2020 and June 17, 2020, respectively. § 87(2)(b) also provided a written statement on June 25, 2020 via email (Board Review #13). On July 19, 2020, the investigation obtained written statements regarding this incident provided to the New York State Attorney General's Office by § 87(2)(b) and an anonymous individual. § 87(2)(g) (Board Review #14-15).

The investigation was unable to obtain sworn statements from two other witnesses, § 87(2)(b) and § 87(2)(b) (Board Review #16). § 87(2)(b) provided a written statement on June 19, 2020 via email (Board Review #17).

It is undisputed that on the evening of June 2, 2020, there was an 8:00 p.m. curfew in place. At approximately 9:00 p.m., after the curfew started, a large group of protesters attempted to march from Brooklyn to Manhattan by crossing the Manhattan Bridge. The NYPD closed off the Manhattan end of the bridge, preventing the protesters from advancing. The majority of the protesters waited on the bridge for several hours, hoping that the police would allow them to proceed into Manhattan. Approximately twenty-four protesters, however, decided not to wait and walked back across the bridge to the Brooklyn side. These protesters left in small groups of one to three people, rather than in a single group. When the protesters reached the Brooklyn end of the bridge, they found several dozen uniformed police officers waiting. Deputy Inspector Perez ordered the officers to arrest each of these individuals as they reached the Brooklyn end of the bridge. The prisoners were taken into custody and then transported to an MTA bus parked at the bottom of the bridge that had been commandeered by the NYPD for use as a prisoner transport. The bus was supervised by Sergeant Claudio Ramirez of the Violent Crimes Unit. The officers assigned to the bus were not present during any of the various civilians' arrests and did not participate in them. Once the bus was filled with prisoners, it transported them to the 79th Precinct stationhouse, where the officers under Sergeant Ramirez's supervision issued them each a summons for violating the curfew.

§ 87(2)(b) stated that she as she attempted to leave the protest, she noticed three males shouting at a group of approximately 100 uniformed officers standing on the Brooklyn end of the bridge. § 87(2)(b) was by herself at the time. She did not know who the three males were. § 87(2)(b) took out her cell phone and started to record the three males. The officers initially did not respond to the males' shouting or § 87(2)(b)'s recording. After about five minutes, however, several of the gathered officers advanced towards § 87(2)(b) and the males. § 87(2)(b) turned to walk away from the officers. One of the advancing officers, described as a white male who was slightly taller than § 87(2)(b) (who is 5'3" tall), struck § 87(2)(b) in the back with a riot shield. The blow knocked § 87(2)(b) face-down onto a section of grass next to the bridge's on-ramp. Several officers then surrounded § 87(2)(b) and punched and kicked her approximately thirteen to fifteen

times on her legs, sides and face. § 87(2)(b) was only able to describe one of these officers, identifying her as a black female. She did not recall any further details about this officer's appearance. § 87(2)(b) was then placed in plastic flex cuffs and escorted to the MTA bus. § 87(2)(b) had grass and dirt in her hair and on her body as a result of being knocked down onto the grass by the bridge.

§ 87(2)(b) provided a copy of the cell phone video that she recorded during the incident (Board Review #04). The video shows a Hispanic male on a bicycle yelling at a group of several dozen uniformed officers wearing riot helmets. Many of the officers are carrying riot shields. At 4:30 into the recording, two white male officers in white-shirted uniforms are seen standing in front of the gathered officers. At 4:43 into the recording, an unseen voice states, "Alright, enough, guys." § 87(2)(b) then turns the camera towards a nearby patch of grass and starts walking towards it. The camera then shakes, and the recording ends. The video does not show any officers make physical contact with § 87(2)(b).

§ 87(2)(b) stated that she attempted to leave the protest on the Manhattan Bridge with a female friend of hers. She declined to identify her friend, stating that she did not want to violate her privacy. § 87(2)(b)'s friend was recording the incident on her cell phone as they walked off the bridge. When they reached the Brooklyn end of the bridge, two uniformed officers, described as an approximately 6'1" tall white male and an approximately 5'5" tall white male, escorted them to the prisoner bus. § 87(2)(b)'s friend later informed her that the two officers took her phone from her hand and placed it in a bag when they arrested her. The phone was returned to § 87(2)(b)'s friend after she was released from custody, but she found that the video she had been recording was not on the phone. § 87(2)(b) had not seen any officers using her friend's phone during the incident. She assumed that officers had accessed the phone while they were in custody and deleted the video.

§ 87(2)(b) and § 87(2)(b) were all arrested separately as they walked off the bridge. They did not witness each other's' arrests. § 87(2)(b) and § 87(2)(b) all stated that § 87(2)(b) was covered in grass and dirt when they first encountered her on the MTA bus.

BWC

The investigation did not obtain body-worn camera (BWC) footage for this incident. A review of BWC footage from the Manhattan Bridge on June 2, 2020 found several videos that were recorded on the Manhattan end of the bridge. Upon review, none of these were found to be related to this incident. No videos were found that were recorded on the Brooklyn end of the bridge, where this incident occurred.

NYPD Documents Reviewed

The civilians arrested on the bridge were eventually issued summonses for violating an executive order (Board Review #01-02). The summonses were issued by the members of Sergeant Ramirez's team, who were assigned to the MTA bus at the time of the arrests and did not participate in them. The narratives of the summonses stated that the issuing officers were informed by Deputy Inspector Perez that the civilians had violated the curfew. The summonses do not indicate who took the civilians into custody. Summonses for several of the civilians were not found on file when requested from IAB (Board Review #03), but they are noted in the 79th Precinct's command log (Board Review #18).

No TRI reports were prepared for this incident. A review of ICAD events in the vicinity of the

bridge found three events that took place on the bridge prior to the civilians' transportation to the stationhouse. The events state that there was a large gathering of protesters on the bridge. An unspecified detail was dispatched to the bridge, as well as a detachment from the Aviation Unit. The only individual unit identified is the 84th Precinct's commanding officer, which corresponds to Deputy Inspector Perez (Board Review #19).

According to the detail rosters prepared by Patrol Borough Brooklyn North, there were fifteen individual details established by the patrol borough on June 2, 2020 (Board Review #20). Each of the details was composed of eight police officers and one supervisor, holding the rank of either sergeant or lieutenant. One of the details had both a lieutenant and a sergeant. In total, 135 officers are listed. Each detail was composed of officers drawn from a single precinct. One of the details is listed as mustering at Cadman Plaza in Brooklyn earlier in the night, but neither this detail roster nor any of the others lists where the details went during their tours. None of them mention their detail being stationed at the Manhattan Bridge at any time on June 2, 2020.

Several of the officers identified through the summonses, such as Sergeant Ramirez and Detective Rivera, however, were from commands outside of Patrol Borough Brooklyn North. They were not listed on the Patrol Borough Brooklyn North rosters. This indicates that there were details present in the patrol borough, at least some of whom were from outside the patrol borough, beyond the fifteen identified in the detail rosters.

Concurrent Investigations

The New York State Attorney General's Office solicited written statements regarding the 2020 police brutality protests. § 87(2)(b) and an anonymous individual submitted written testimony regarding this incident (Board #14-15 Review) § 87(2)(g)

The Attorney General's Office did not obtain statements from any other civilians involved in this incident.

Ranking Officers

The highest-ranking officer identified as being present at the Brooklyn end of the Manhattan Bridge is Deputy Inspector Perez, the commanding officer of the 84th Precinct. In his CCRB statement, Deputy Inspector Perez stated that he made the decision to arrest the small groups of protesters leaving the bridge while the main body of protesters tried to cross to Manhattan. This is confirmed by the summonses later issued to the civilians, which state that they prepared at Deputy Inspector Perez's instruction (Board Review #01-02). ICAD event #D20060227434, which occurred at the Manhattan Bridge approximately an hour after this incident, was eventually closed out by Deputy Inspector Perez, again demonstrating that he was present on the bridge (Board Review #19). Neither Deputy Inspector Perez nor any other officers interviewed identified any higher-ranking officers that were present at the Brooklyn end of the bridge.

Officers Interviewed

Detective James Rivera of the Violent Crimes Unit was interviewed at the CCRB on August 13, 2020. Deputy Inspector Perez was interviewed at the CCRB on September 2, 2020. Sergeant Claudio Ramirez of the Violent Crimes Unit was interviewed at the CCRB on September 21, 2020. Sergeant Emile Pratt of the 79th Precinct was interviewed at the CCRB on September 22, 2020. Police Officer Travis Brinson of the 79th Precinct was interviewed at the CCRB on October 6, 2020.

Deputy Inspector Perez was the commanding officer of the 84th Precinct. The Brooklyn end of the bridge is located within the confines of his precinct. Deputy Inspector Perez was not aware of any coordinated police response to the protests taking place on June 2, 2020. He was aware that officers from outside commands were assigned to protest-related details and were active in the precinct that day, but he did not know who coordinated or directed the details' actions that day. At some point that night, he was informed by an unknown party that protesters were trying to cross the Manhattan Bridge. He was not aware of what, if anything, those specific protesters had been doing before going on the bridge. Deputy Inspector Perez decided to go to the bridge himself to investigate. He was not ordered there by another officer. When he arrived, he saw several hundred protesters walking across the bridge. They used the bridge's roadway, rather than the pedestrian path on the side. There were numerous officers already at the bridge, but Detective Inspector Perez did know who they were or what commands they were assigned to. He did not recall how many officers were present. Deputy Inspector Perez waited on the Brooklyn end of the bridge when the protesters crossed. Officers on the Manhattan end of the bridge blocked the roadway, preventing the protesters from advancing. The main body of protesters waited on the bridge for several hours, hoping to proceed into Manhattan. Several small groups of protesters, however, broke away from the main group and walked back to the Brooklyn end of the bridge. Deputy Inspector Perez was waiting there with several other officers. He did not recall who these officers were or where they were from. He did not recall if these were the same officers who were present when the protesters first went onto the bridge. Deputy Inspector Perez believed that some of the other officers were also supervisors, though he did not know who they were. He did not recall seeing any other white-shirted officers on the bridge. Deputy Inspector Perez directed the gathered officers to arrest the small groups of protesters for violating the curfew as they came off the bridge. He denied suspecting them of any other criminal activity besides violating the curfew. He did not recall issuing any further instructions about how to handle these protesters, such as whether to use force against them.

Deputy Inspector Perez did not recall participating in or observing any of the subsequent arrests. He did not recall seeing any officers use physical force against the civilians, including punching them, kicking them, knocking them to the ground or hitting them with a riot shield. He was not aware of any civilians recording the arrests or of an officer deleting a civilian's recording. After the protesters were arrested, they were transported to an MTA bus parked at the base of the bridge for transportation. Deputy Inspector Perez denied escorting any of the prisoners himself. He did not know which officers were assigned to the bus. The bus then transported the bus to the 79th Precinct stationhouse. Deputy Inspector Perez explained that the stationhouse had been designated as the arrest processing center for the protests that night, and that all protest-related arrests were handled there. He did not accompany the prisoners to the stationhouse.

Sergeant Ramirez and Detective Rivera both stated that they were assigned to an MTA bus that was used to store and then transport prisoners taken into custody on the Manhattan Bridge. They were accompanied by Detective Warren Rohan, also of the Violent Crimes Unit. They stated that they were also accompanied by an officer from a Staten Island command. The investigation identified this officer as Police Officer Matthew Pagano of the 123rd Precinct based on a summons that he issued to one of the prisoners. Both Sergeant Ramirez and Detective Rivera stated that they stayed on the bus during the arrests. They denied witnessing or participating in the arrests. The prisoners were delivered to the bus one by one, but they did not know who the officers delivering the prisoners were. Sergeant Ramirez explained that Deputy Inspector Perez directed him to have the officers on the bus issue all the prisoners summonses for violating the curfew.

Deputy Inspector Perez, Sergeant Ramirez and Detective Rivera were all shown the video footage that § 87(2)(b) recorded immediately before her arrest. They did not recognize any of the officers seen on the video. None of them recalled witnessing the events depicted on the video themselves.

Deputy Inspector Perez denied that any of the white-shirted officers seen on the video are him.

Sergeant Pratt and Police Officer Brinson stated that they were assigned to the 79th Precinct stationhouse on June 2, 2020. They denied traveling to the Manhattan Bridge that day.

Disposition

The investigation was unable to identify the officers who used force against § 87(2)(b) and deleted the unidentified civilian's video footage. As § 87(2)(b)'s video footage showed, there was a large number of officers present on the bridge, including multiple supervisors in white-shirted uniforms. The dearth of NYPD documentation prevented the investigation from identifying them. The civilians' summonses, the only records prepared at the individual level for this incident, were prepared by officers who, in all accounts, were not involved with the civilians' arrests. The detail rosters list more than a hundred officers who were assigned to respond to protests in the patrol borough on June 2, 2020, but they do not indicate which detail, if any, were on the bridge. They also do not list officers from commands outside the patrol borough's precincts. The presence of officers like Sergeant Rivera and Detective Rivera on the MTA bus demonstrates that there were multiple officers present from commands beyond Patrol Borough Brooklyn North.

The only officer who has been conclusively identified as being on the bridge was Deputy Inspector Perez, but he could not identify any other officers were there with him. While he acknowledged ordering the various protesters' arrests for violating the curfew, he did not recall participating directly in any of the arrests. He did not recall giving any instructions beyond telling officers to arrest the civilians, including any instructions about the use of force. None of the civilians mentioned a white-shirted officer using force against a civilian or deleting a recording. As such, there is no clear preponderance of evidence that Deputy Inspector Perez was directly involved in any of these individual allegations.

§ 87(2)(g)

Allegation (D) Force: At the 79th Precinct stationhouse, an officer used physical force against

§ 87(2)(b)

Known Facts and General Dispositions

It is undisputed that after the various prisoners were taken into custody on the Manhattan Bridge, they were loaded onto an MTA bus and transported to the 79th Precinct stationhouse. The bus was manned by Sergeant Ramirez's team. The prisoners were restrained using plastic flex cuffs rather than metal handcuffs. The prisoners were unloaded at the stationhouse and brought inside, where they were presented at the front desk. Sergeant Emile Pratt of the 79th Precinct was the desk officer at the time. Officers removed the prisoners' flex cuffs and lodged them in holding cells. § 87(2)(b) and § 87(2)(b) were lodged in a cell together. Each of the prisoners was subsequently released with summonses for violating the curfew, which were prepared by members of Sergeant Ramirez's team.

In her CCRB statement, § 87(2)(b) stated that once she was loaded onto the MTA bus, her hands started to turn purple and go numb due to the lack of circulation caused by her flex cuffs. She complained to Detective Rivera, who told her that the cuffs could only be removed by cutting them off, and that he could not do so because he did not have the appropriate cutting tool. When the bus

arrived at the stationhouse, § 87(2)(b) was escorted into the building by a white female officer in her 40s with blond hair. § 87(2)(b) told the female officer that her cuffs were hurting her. The female officer tried to remove the cuffs with a knife but was unable to cut through the plastic. Another officer, described as a Middle Eastern or Hispanic male with dark hair, then cut through the cuffs using a pair of shears. While doing so, the officer cut § 87(2)(b) causing a laceration on her left palm. The female officer then escorted § 87(2)(b) to the front desk for processing. She described the officer behind the desk as a black male in his late 40s with thinning hair and a heavyset build. The officer asked § 87(2)(b)'s escorting officer who caused the laceration on her hand, but neither of them responded. The officers then lodged § 87(2)(b) in her holding cell. § 87(2)(b) noted that the officers she interacted with at the stationhouse had not been on the bus with Detective Rivera.

In her initial complaint, § 87(2)(b) made no mention of suffering a laceration to her hand or an officer cutting her while removing her cuffs. She also described the officer who examined her hands as a slim, bald, light-skinned male.

§ 87(2)(b) and § 87(2)(b) all stated that § 87(2)(b) had a laceration on her hand while they were together in the holding cell. They stated that § 87(2)(b) told them that an officer had cut her hand while undoing her cuffs. None of the other civilians witnessed this happen. § 87(2)(b) did not mention § 87(2)(b) suffering any injury in her written statement.

BWC

No BWC footage was found for the portion of the incident taking place at the stationhouse.

NYPD Documents Reviewed

The 79th Precinct command log records that at 10:45 p.m. on June 2, 2020, twenty-four prisoners arrived at and were lodged at the stationhouse. Sergeant Pratt worked as the desk officer at the time. Among these prisoners are § 87(2)(b) and § 87(2)(b). Each prisoner's entry states that their arrests were verified by Sergeant Ramirez. The prisoners were later released from custody with summonses (Board Review #18).

A review of the 79th Precinct roll call found three officers with assignments at the stationhouse: Sergeant Emile Pratt (the desk officer), Police Officer Travis Brinson (the cell attendant) and PO Carolina Jorge (the telephone switchboard operator). Sergeant Pratt is a § 87(2)(b), Police Officer Brinson is a § 87(2)(b), and Police Officer Jorge is a § 87(2)(b). None of them correspond to § 87(2)(b)'s description of the subject officer (Board Review #18).

As discussed earlier, the detail rosters prepared by Patrol Borough Brooklyn North list fifteen separate details that were assigned to respond to the protests on June 2, 2020. The detail rosters did not specify where the details were assigned or where they traveled to over the course of the night (Board Review #20).

Concurrent Investigations

As mentioned earlier, § 87(2)(b) and an anonymous individual provided a written statement to the New York State Attorney General's Office regarding this incident (Board Review #14-15). No other statements were obtained for this incident.

Ranking Officers

Sergeant Ramirez, whose team supervised the prisoners' transportation to the stationhouse, and Sergeant Pratt, the 79th Precinct's desk officer, were the highest-ranking officers identified at the stationhouse.

Officers Interviewed

Sergeant Ramirez and Detective Rivera stated that they were assigned to the MTA bus used to hold prisoners along with Detective Warren Rohan, also of the Violent Crimes Unit. There was at least one other officer on the bus, identified by the investigation as Police Officer Matthew Pagano of the 123rd Precinct. When the bus filled up with prisoners, the officers drove it to the 79th Precinct stationhouse.

Detective Rivera recalled that a female, identified by the investigation as § 87(2)(b) complained on the bus that her cuffs were too tight. Detective Rivera did not have any tools capable of cutting the cuffs with him. He tried to loosen the cuffs without cutting them but was unable to. When the bus arrived at the stationhouse, he made sure that § 87(2)(b) was the first prisoner off the bus to make sure that her cuffs were removed first. He did not accompany § 87(2)(b) into the building. There were several officers waiting outside the stationhouse, several of whom had 79th Precinct collar brass. Detective Rivera did not know who any of them were. These officers escorted the prisoners into the stationhouse. Detective Rivera did not go with § 87(2)(b) or the other prisoners after unloading them from the bus. He did not leave the bus until all of the prisoners left. He then went into the stationhouse's muster room and started writing out summonses for the prisoners. He denied going anywhere else in the building. Detective Rivera denied seeing the removal of § 87(2)(b)s or any other prisoners' cuffs. He was not aware of any officer cutting § 87(2)(b) or any other prisoner while processing the arrests.

Sergeant Ramirez did not recall any prisoners on the bus complaining about their cuffs. He stated that when the bus arrived at the stationhouse, the officers escorted the prisoners inside. He went behind the front desk to assist the desk officer (identified as Sergeant Pratt) process the arrests. There were several officers at the stationhouse at the time, but Sergeant Ramirez did not know who any of them were. He did not know if there were any officers from commands other than the 79th Precinct present. The prisoners were brought before the desk one-by-one, where Sergeant Ramirez took down their information. An officer removed the prisoners' flex cuffs at that time. Sergeant Ramirez did not know which officer removed the prisoners' cuffs. He did not know if one officer removed all the prisoners' cuffs, or if multiple officers handled the task. He was not aware of any officers cutting or otherwise injuring a prisoner while removing their cuffs.

Sergeant Pratt is a § 87(2)(b). He stated that he had no independent recollection of this incident. He confirmed that he worked as the 79th Precinct desk officer at the time. He did not recall if officers from any outside commands were assigned to the 79th Precinct stationhouse on June 2, 2020. Sergeant Pratt did not recall a group of prisoners from the Manhattan Bridge arriving at his stationhouse, including any prisoners transported on an MTA bus. He did not recall these prisoners even after reviewing their command log entries. Sergeant Pratt did not recall encountering any prisoners in plastic flex cuffs. While Sergeant Pratt noted that flex cuffs are usually removed using a specialized cutting tool, he did not recall any officers using such a tool at the stationhouse on June 2, 2020. He was not aware of any officers cutting or otherwise injuring a civilian while removing their cuffs.

Police Officer Brinson did recall the prisoners' arrival at the stationhouse. He was assigned to stationhouse security at the time. He did not recall any officers from outside commands being

assigned to the stationhouse on June 2, 2020. The prisoners were restrained with flex cuffs. They were escorted into the stationhouse's muster room for processing. Police Officer Brinson and several other officers from the 79th Precinct went into the muster room to assist. Police Officer Brinson did not recall who any of these officers were. He and the other officers took down each prisoner's pedigree information. The officers then removed the prisoners' flex cuffs using scissors and moved them into the holding cells. Police Officer Brinson removed several of the prisoners' cuffs himself. He did not recall the names of any of the other officers who removed prisoners' flex cuffs. He did not recall if he removed the cuffs from an Asian female. He denied that he cut or injured any of the prisoners that he removed cuffs from. He was not aware of any other prisoners sustaining injuries when other officers removed their cuffs.

Both Sergeant Pratt and Police Officer Brinson were provided with § 87(2)(b)'s descriptions of the three officers she interacted with inside the stationhouse. Both of them stated that they could not identify any specific officers based on the descriptions because they were broad and could have fit multiple officers at the command.

Disposition

The investigation was unable to identify the officer who removed § 87(2)(b)'s flex cuffs. Both civilian and officer testimony indicates that there were several officers from the 79th Precinct who assisted in processing the twenty-four prisoners that arrived on the MTA bus. Neither police documentation nor officer testimony, however, identifies any of them beyond Police Officer Brinson and Sergeant Pratt. These two officers, a black male and a white male, do not match § 87(2)(b)'s description of the subject officer, who she identified as a Middle Eastern or Hispanic male. Police Officer Brinson acknowledged that he was one of multiple officers who removed the prisoners' flex cuffs but did not identify any of the other officers. Absent identifying information for any of these officers, photographs could not be shown to § 87(2)(b) to identify the subject officer. None of the other civilians witnessed the allegation or identified the officer who removed § 87(2)(b)'s cuffs.

§ 87(2)(g)

§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first complaint to which § 87(2)(b) or § 87(2)(b) has been a party (Board Review #22).
- Deputy Inspector Perez has been a member of the service for seventeen years and this is the first CCRB complaint in which he has been identified as a subject officer.

Mediation, Civil and Criminal Histories

- This complaint was not eligible for mediation.
- A Notice of Claim request was submitted to the NYC Office of the Comptroller on November 18, 2020. The results will be included in the case file upon receipt.
- According to the Office of Court Administration, neither § 87(2)(b) nor § 87(2)(b) has a history of criminal convictions in New York City (Board Review #23).

Squad No.: 15

Investigator: Owen Godshall Inv. Owen Godshall 11/19/2020
Signature Print Title & Name Date

Squad Leader: Simon Wang IM Simon Wang 01/22/2021
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date